

Editor's note: Appealed -- aff'd, sub nom. Burglin v. Morton, Civ. No. F-21-73 (D. Alaska Aug. 5, 1974), aff'd, No. 74-2761 (9th Cir. Dec. 19, 1975), rehearing denied Jan. 27, 1976, 527 F.2d 486, cert denied 425 US 973 (1976)

EARNEST G. and DORA A. CARTER, C. BURGLIN;
MICHAEL F. SCANLAN, C. BURGLIN

IBLA 73-343
73-347

Decided July 6, 1973

Appeals from decisions of the Alaska State Office, Bureau of Land Management, dated March 7 and March 15, 1973, rejecting oil and gas lease offers F 8216 and 8214.

Affirmed.

Oil and Gas Leases: Applications: Generally -- Oil and Gas Leases: First Qualified Applicant

Oil and gas lease offers are properly rejected when each offer shows on its face that there are two offerors with 20 percent and 80 percent interests respectively, but one of the offerors cannot be identified from the face of the offer form because his name is represented only by an illegible signature. An offeror whose identity cannot be established from the face of the offer cannot be regarded as the first qualified applicant for a lease, and such an offer earns no priority from the time of its filing.

APPEARANCES: Earnest G. and Dora A. Carter, Michael F. Scanlan, and C. Burglin, each pro se.

BY THE BOARD

In each case before us an oil and gas lease offer was filed bearing a notation that 20% was owned by a party whose only identity was an illegible signature. The offers were rejected because the applications could not be deemed complete due to the illegible signature.

The question here has been considered on many previous occasions, e.g., William D. Sexton, 9 IBLA 316 (1973); R. C. Bailey, 7 IBLA 266 (1972). We adhere to the ruling that oil and gas lease offers are properly rejected when each offer shows on its face that there are

two offerors with 20 percent and 80 percent interests respectively, but one of the offerors cannot be identified from the face of the offer form because his name is represented only by an illegible signature.

Therefore, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 CFR 4.1 the decisions appealed from are affirmed.

